

IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

MICHAEL C. ZIMMER, D.C., P.C., individually and
on behalf of all others similarly-situated,

Plaintiff,

v.

INTEGRATED PAIN MANAGEMENT, S.C., TIAN
MEDICAL, INC., TIAN MEDICAL, LLC, DR.
TIAN XIA, and JOHN DOES 4-10

Defendant.

Cause No. 4:14-CV-01121-HEA

**PLAINTIFF MICHAEL C. ZIMMER, D.C., P.C.'S DISMISSAL OF INDIVIDUAL
CLAIMS WITH PREJUDICE OF ITS CLAIM AGAINST DEFENDANTS INTEGRATED
PAIN MANAGEMENT, S.C., TIAN MEDICAL, INC., TIAN MEDICAL, LLC, AND DR.
TIAN XIA AND DISMISSAL OF INDIVIDUAL CLAIMS WITHOUT PREJUDICE OF
ITS CLAIM AGAINST JOHN DOES 4-10**

COMES NOW Plaintiff, Michael C. Zimmer, D.C., P.C.'s, with consent of Defendants Integrated Pain Management, S.C., Tian Medical, Inc., Tian Medical, LLC and Dr. Tian Xia and pursuant to Rule 41 (a) (1) (A) (ii) hereby dismisses its individual claims against Integrated Pain Management, S.C., Tian Medical, Inc., Tian Medical, LLC and Dr. Tian Xia **with prejudice**. John Does 4-10 are hereby dismissed **without prejudice**. No notice needs to be issued to the putative class under Rule 23, because there has been no finding that this action can proceed as a class action, and no class has been certified herein. Each party shall bear their own costs.

SO ORDERED:

Judge Henry Edward Autrey

DATE

/s/ Max G. Margulis

Max G. Margulis, #24325MO

MARGULIS LAW GROUP

28 Old Belle Monte Rd.

Chesterfield, MO 63017

P: (636) 536-7022 - Residential

F: (636) 536-6652 - Residential

E-Mail: MaxMargulis@MargulisLaw.com

Brian J. Wanca, # 3126474IL

Ross M. Good, # 6322917IL

Anderson + Wanca

3701 Algonquin Road, Suite 500

Rolling Meadows, IL 60008

P: (847) 368-1500

F: (847) 368-1501

E-mail: bwanca@andersonwanca.com

rgood@andersonwanca.com

Attorneys for Plaintiff

/s/ Heather Bub

Heather Bub, #61222MO

SMITHAMUNDSEN LLC

120 S. Central Avenue, Suite 700

St. Louis, MO 63105-1794

P: (314) 719-3700

F: (314) 719-3707

Email: hbub@salawus.com

Eric L. Samore (*pro hac vice*)

Erin A. Walsh (*pro hac vice*)

SMITHAMUNDSEN LLC

150 North Michigan Avenue

Suite 3300

Chicago, Illinois 60601

P: (312) 894-3200

F: (312) 997-1899

Email: Esamore@salawus.com

EWalsh@salawus.com

Attorneys for Defendants

CERTIFICATE OF SERVICE

I hereby certify that on the 23rd day of March, 2017, I submitted the foregoing via this Court's CM/ES system, which served notice of the filing on the Attorneys for Defendants, Heather Bub, #61222MO, SMITHAMUNDSEN LLC, 120 S. Central Avenue, Suite 700, St. Louis, MO 63105-1794, P: (314) 719-3700, Email: hbub@salawus.com and Eric L. Samore (*pro hac vice*), Erin A. Walsh (*pro hac vice*), SMITHAMUNDSEN LLC, 150 North Michigan Ave, Suite 3300, Chicago, Illinois 60601, P: (312) 894-3200, Email: Esamore@salawus.com and EWalsh@salawus.com and a courtesy copy was also served by email.

/s/ Max G. Margulis